

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

YYZ, LLC,

Plaintiff,

v.

HEWLETT-PACKARD COMPANY,

Defendant.

C.A. No. 13-cv-136-SLR

YYZ, LLC,

Plaintiff,

v.

ADOBE SYSTEMS, INC.,

Defendant.

C.A. No. 13-cv-579-SLR

YYZ, LLC,

Plaintiff,

v.

PEGASYSTEMS, INC.,

Defendant.

C.A. No. 13-cv-581-SLR

**DECLARATION OF JONATHAN R. MILLER IN SUPPORT OF
PLAINTIFF'S OPPOSITION
TO
DEFENDANTS' MOTION FOR SUMMARY JUDGMENT THAT THE ASSERTED
CLAIMS OF THE PATENTS-IN-SUIT ARE INVALID UNDER 35 U.S.C. § 101**

-AND-

**PLAINTIFF'S CROSS-MOTION FOR
SUMMARY JUDGMENT THAT THE ASSERTED CLAIMS OF THE PATENTS-IN-
SUIT ARE NOT INVALID UNDER 35 U.S.C. § 101**

I, Jonathan R. Miller, being over the age of 18 years, competent to testify as to the matters stated herein, and based on my own personal knowledge, state as follows:

1. I am employed by the law firm Heninger Garrison Davis, LLC which represents Plaintiff YYZ, LLC (hereinafter, “YYZ”) in the above-entitled case filed against defendants Hewlett-Packard Company (hereinafter, “H-P”), Adobe Systems, Inc. (hereinafter, “Adobe”), and Pegasystems, Inc. (hereinafter, “Pegasystems”) (collectively, “Defendants”). I am one of the attorneys that have been assigned to work on these cases.

2. Attached hereto as Exhibit A is a true and correct copy of United States Patent No. 7,062,749.

3. Attached hereto as Exhibit B is a true and correct copy of United States Patent No. 7,603,674.

4. Attached hereto as Exhibit C is a true and correct copy of the Claim Construction Order entered by this Court in these three matters on December 12, 2014.

5. Attached hereto as Exhibit D is a true and correct copy of the expert declaration of Wayne M. Schutz entitled “Declaration Of Wayne M. Schutz In Support Of Plaintiff’s Opposition To Defendants’ Motion For Summary Judgment That The Asserted Claims Of The Patents-In-Suit Are Invalid Under 35 U.S.C. § 101” dated February 27, 2015. [Filed Under Seal]

6. Attached hereto as Exhibit E is a true and correct copy of excerpts from a book authored by David Linthicum entitled “Enterprise Application Integration” published by Addison-Wesley with a copyright date of 2000.

7. Attached hereto as Exhibit F is a true and correct copy of excerpts from a book authored by David Linthicum entitled “B2B Application Integration: e-Business-Enable Your Enterprise” published by Addison-Wesley with a copyright date of 2001.

8. Attached hereto as Exhibit G is a true and correct copy of the transcript of the deposition of Kenneth Fritz taken on September 2, 2014. [Filed Under Seal]

9. Attached hereto as Exhibit H is a true and correct copy of the brief entitled “Plaintiff Hewlett-Packard Company’s Opposition To ServiceNow, Inc.’s Motion For Summary Judgment Of Invalidity Under 35 U.S.C. § 101” filed on January 14, 2015 in the matter of *Hewlett-Packard Co. v. ServiceNow, Inc.*, Case No. 5:14-cv-00570-BLF (N.D. Cal.).

10. Attached hereto as Exhibit I is a true and correct copy of the “Declaration Of Hans-Arno Jacobsen, Ph.D. In Support Of Petition For Covered Business Method Review” filed by Hewlett-Packard Company in support of its petition for a Covered Business Method of U.S. Patent No. 7,062,749 filed with Patent Trial And Appeal Board of the United States Patent and Trademark Office on December 22, 2014 (Exhibit 1031).

11. Attached hereto as Exhibit J is a true and correct copy of three email messages (dated January 5, 2015 {H-P}, December 22, 2014 {Adobe}, and December 29, 2014 {Pegasystems}) in which the Defendants each disclosed that David Linthicum would serve as their expert.

12. Attached hereto as Exhibit K is a true and correct copy of a document entitled “An Introduction to Messaging and Queuing” with copyright date of June 1995 assigned to International Business Machines Corporation.

13. Attached hereto as Exhibit L is a true and correct copy of a presentation regarding eSleuth bearing bates numbers HP00033707 to HP00033721. [Filed Under Seal]

14. Attached hereto as Exhibit M is a true and correct copy of a document entitled “Transaction Vision 1.3 Plan” bearing bates numbers BTSENG0002223 to BTSENG0002225. [Filed Under Seal]

Date: February 27, 2015

Respectfully submitted,

s/ Jonathan R. Miller

Jonathan R. Miller (*pro hac vice*)

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